

Topsfield Planning Board
January 6, 2015

Chairman Morrison called the meeting to order at 8:00 PM at the Town Library. Board members present were Martha Morrison, Jeanine Cunniff, Joseph Geller, Ian De Buy Wenniger and Steven Hall. Roberta Knight, Community Development Coordinator was also present.

Visitors: Selectman Dick Gandt; Stephen Silveri, Jill Mann, Jeff Garber, Thomas Shank, Lucille Annis and Michael Walsh

Minutes: Member Jeanine Cunniff made the motion to approve the following sets of minutes, as amended and as set forth below; seconded by Clerk Steven Hall; so voted 5-0.

<u>Date</u>	<u>Absent Members</u>
May 20, 2014	J. Cunniff, I. DeBuy Wenniger
May 20, 2014 Joint	J. Cunniff, I. DeBuy Wenniger
July 1, 2015	
August 5, 2015	J. Geller
September 2, 2015	J. Geller
September 23, 2015	
September 23, 2015 Joint	J. Cunniff, I. DeBuy Wenniger
October 7, 2015	S. Hall
November 5, 2015	S. Hall
December 2, 2015	I. DeBuy Wenniger

New Meadows Development Close-out: At this time, Attorney Jill Mann, representing Jeff Garber and Thomas Shank, the principals of New Meadows Development LLC requested that the Board release the Tri-Partite Agreement since the last unit has been sold and the development's infrastructure has been completed. The developers will be turning over the property to the Homeowners Association. An As-built Plan of the development was presented to the Board even though this was not a requirement of the special permit.

Clerk Steven Hall made the motion to approve the release of the Tri-Partite Agreement dated August 6, 2013 between the Town of Topsfield, New Meadows Development LLC and North Shore Bank; seconded by Member Joseph Geller; so voted 5-0.

Hickory Beech Peer Review: Chairman Morrison opened the discussion relative to Highway Superintendent David Bond's comments and recommendations concerning the

Beals and Thomas Inc. infrastructure peer review findings. Mr. Bond recommended that Beals Associates, the developer's project engineer, be hired by the Planning Board to address the findings regarding the differences noted between the original development plans and the as-built plans. The Board members further discussed the feasibility of the use of funds from the Schedule of Values to pay for the engineering services. The Board requested Ms. Knight to contact Larry Beals and request a cost proposal for the review response.

The Board also discussed the tax title issue relative to the open space parcels. Meeting Way Corporation remains the owner of record until the subdivision is closed out and the streets are accepted. At that time, the Open Space Deed, revised in 2011, would be filed and the Town would take over ownership of the parcels. However, Meeting Way Corporation has not paid the real estate taxes on the property and the Town Treasurer Collector pursuant to state statute has proceeded with placing these parcels into tax title. The Board directed Ms. Knight to contact Town Counsel Patricia Cantor on this issue.

At this time, Association members Lucille Annis and Michael Walsh informed the Board that there were still stormwater issues relative to drainage within the subdivision. Lots 6 and 7 had water issues. Ms. Annis noted that drainage swale on her lot (Lot 8) was doing the job, but full of water. Stormwater from the cul-de-sac has been draining over Lots 10 & 11 to the wetlands. She also noted that Conservation Administrator Lana Spillman was aware of the issue.

Hill Street December Flooding Issues: Chairman Morrison informed the Board that she and Highway Superintendent David Bond visited the site during the December flooding event. 121 Hill Street was again flooded by stormwater flowing from across the street. It has been confirmed that the stormwater is coming from the cornfield at 120 Hill Street. The field had been plowed but no winter crop had been planted and the water poured off the site. David Bond has had a meeting with the owner Jim Di Benedetto to discuss the issue; however, there is no resolution at this time.

Member Jeanine Cunniff noted her concern that although engineering plans are reviewed by the Board and DEP "best practices" are utilized in the engineering design, no one knows if the installed design will work until there is an event.

Member Joseph Geller suggested that language be added to the Stormwater Management and Erosion Control Bylaw to address "flash flood volume". Further, Mr. Geller noted that he has had conversations in this regard with Conservation Member Holger Luther. It was the consensus of the Board to ask Mr. Luther to attend the January 20th meeting to discuss this matter.

2015 Amendments and Revisions: Member Ian De Buy Wenniger reminded the members that language revisions would be needed in the Stormwater Management & Erosion Control Bylaw to address the issues that came to the Board's attention in the

determination of applicability as it related to the interpretation presented to the Board relative to 142 High Street. Mr. De Buy Wenniger also noted that the Common Plan of Development needs to be added to the definition section. Relative to enforceability when a system does not work, he suggested that language should be incorporated into the Bylaw and referred to Town Counsel's memorandum.

The meeting was adjourned at 10:00 PM.

Respectfully submitted,

Roberta M. Knight
Community Development Coordinator